

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

C-2469Re

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,465,910 B2, granted October 15, 2002,

and for which a reissue patent is sought on the invention entitled System for Providing Assured Power to a Critical Load

the specification of which

☒ is attached hereto.

☐ was filed on _____ as reissue application number _____
and was amended _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/2B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

New claim 12 is a broader claim than any of the three independent claims (1, 9, and 10) of the original issued patent. It is a broadened version of claim 1 in that the phrase "comprising at least one fuel cell power plant (18)" in Column 10, lines 10 and 11, has been omitted as a limitation on/of the recitation of "a second power source (18)" in Column 10, line 10. Applicants limited the "second power source (18)" to "at least one fuel cell power plant (18)" in error, and believe they are entitled to a broader claim, as supported by the specification at col. 1, lines 5-7 and col. 3, lines 20-24 and 30-34.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)
C-2469Re

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this

Name(s) Registration Number

Stephen A. Schneeberger Reg. No. 25,434

Robert H. Kelly Reg. No. 28,961

Henry T. Crenshaw Reg. No. 37,805

Correspondence Address: Direct all communications about the application to:

☐ Customer Number

OR

<input type="checkbox"/> Firm or	Stephen A. Schneeberger				
Address	49 Arlington Road				
Address					
City	West Hartford	State	CT	Zip	06107
Country	USA				
Telephone	(860) 313-4402	Fax	(860) 313-4402 (same as phone)		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Douglas Gibbons Young

Inventor's signature *Douglas Gibbons Young*

Date 3/9/04

Residence 363 Eveningside Avenue, Henderson, NV 89012

Citizenship United States of America

Mailing Address Same as above

Full name of second joint inventor (given name, family name)

Herbert C. Healy

Inventor's signature *Herbert C. Healy*

Date 3/1/04

Residence 128 Fieldstone Drive, Windsor, CT 06095

Citizenship United States of America

Mailing Address Same as above

Full name of third joint inventor (given name, family name)

Francis A. Fragola, Jr.

Inventor's signature *Francis A. Fragola Jr.*

Date 2/24/04

Residence 12 Doherty Drive, Wallingford, CT 06492

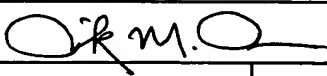
Citizenship United States of America

Mailing Address Same as above

☒ Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached

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DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental SheetPage 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])			Family Name or Surname		
Ricky M.			Ross		
Inventor's Signature					Date <u>2/24/04</u>
Residence: City	South Windsor	State	CT	Country	USA
Mailing Address	4 Ryan Drive, Ellington, CT 06029 12-2 Arthur Drive, South Windsor, CT 06074				RMR 2/24/04
Mailing Address	Same as above				
City	Same as above	State	Same	ZIP	Same
Country		USA			
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])			Family Name or Surname		
Inventor's Signature					Date
Residence: City		State		Country	
Mailing Address					
Mailing Address					
City		State		ZIP	
Country					
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])			Family Name or Surname		
Inventor's Signature					Date
Residence: City		State		Country	
Mailing Address					
Mailing Address					
City		State		ZIP	
Country					

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: UTC Fuel Cells, LLC

Application No./Patent No.: U. S. Patent 6,465,910 B2 Filed/Issue Date: October 15, 2002

Entitled: **System for Providing Assured Power to a Critical Load**

UTC Fuel Cells, LLC

(Name of Assignee)

a limited liability company

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: D Young, H Healy, F Fragola, Jr & R Ross To: International Fuel Cells, LLC
The document was recorded in the United States Patent and Trademark Office at
Reel 011603, Frame 0815, or for which a copy thereof is attached.
2. From: International Fuel Cells, LLC To: UTC Fuel Cells, LLC
The document was recorded in the United States Patent and Trademark Office at
Reel 013227, Frame 0108, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to

Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

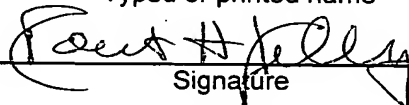
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

02 MARCH 2004
Date

(860) 727-2160
Telephone number

Robert H. Kelly

Typed or printed name


Signature

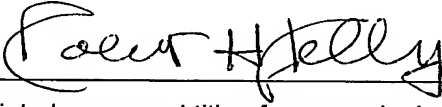
Intellectual Property Counsel

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT		Docket Number (Optional) C-2469Re
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) Douglas Gibbons Young; Herbert C. Healy; Francis A. Fragola, Jr.; and Ricky M. Ross		
Patent Number 6,465,910 B2	Date Patent Issued October 15, 2002	
Title of Invention System for Providing Assured Power to a Critical Load		
<p>1. <input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
The assignee(s) owning an undivided interest in said original patent is/are UTC Fuel Cells, LLC and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned) UTC Fuel Cells, LLC		
Signature 	Date 02 MARCH 2004	
Typed or printed name and title of person signing for assignee (if assigned) Robert H. Kelly, Intellectual Property Counsel		

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450.